

This matter is before the Court on the order of the United States Court of Appeals for the Eleventh Circuit remanding to this Court for the limited purpose of determining when the Petitioner's affidavit in support of his motion for leave to appeal in forma pauperis was delivered to prison officials for forwarding to this Court. The Petitioner's March 8, 2011 letter, in which he acknowledges that he has not yet mailed the documents and that he may be late or out of time on his appeal, establishes that as of March 8, 2011, the documents had not been delivered to prison officials for mailing. (Doc. 25-1 at 2). That letter is stamped, "RECEIVED MAR 09 2011 GSP INMATE ACCOUNTS," therefore showing that prison officials received at least some of the Petitioner's documents on March 9, 2011. Thus, the earliest date that prison officials could have received the Petitioner's documents for forwarding to this Court was March 9, 2011. However, the Petitioner himself signed and dated several of the documents on March 11, 2011. (Doc. 26 at 4-5). Because the Petitioner had to sign and date the documents before delivering them to prison officials for mailing, it is more likely that

March 11, 2011 is the appropriate date. Accordingly, based on the limited evidence now before it, the Court concludes that the Petitioner delivered the documents in question to prison officials for forwarding to this Court on March 11, 2011.

SO ORDERED, this 19th day of July, 2011.

s/Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT